

REMARKS/ARGUMENTS

I. STATUS OF CLAIMS

Claims 1-126 remain in this application. Claims 85-126 have been added.

Claims 1, 6, 8, 12, 24, 29, 36, 40, 52, 57, 62, 64, 68, and 80 have been amended. It should be noted that Applicant has elected to amend said Claims solely for the purpose of expediting the patent application process in a manner consistent with the PTO's Patent Business Goals, 65 Fed. Reg. 54603 (9/8/00). In making this amendment, Applicant has not and does not in any way narrow the scope of protection to which Applicant considers the invention herein to be entitled and does not concede, in any way, that the subject matter of such Claims was in fact taught or disclosed by the cited prior art. Rather, Applicant reserves Applicant's right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

II. DRAWINGS

Fig. 6 has been objected to because it does not include certain reference characters mentioned in the description. The Specification has been amended to remove and correct the objected to reference characters. Therefore, Applicant respectfully requests that the Examiner withdraw the objection.

III. CLAIM OBJECTIONS

Claims 1, 29, and 57 have been objected to. Claims 1, 29, and 57 have been amended to correct the antecedent basis. Therefore, Applicant respectfully requests that the Examiner withdraw the objection.

IV. CLAIM REJECTIONS – 35 U.S.C. § 103

The Office Action rejected Claims 1-5, 8-0, 12, 14-33, 36-37, 40, 42-61, 64-65, 68 and 70-84 under 35 U.S.C. § 103(a) as being unpatentable over Ismail, (U.S. Pat # 6,614,987), in view of Rosin, (U.S. Pat # 6,028,600). The rejection is respectfully traversed.

Claims 1, 29, and 57 have been amended to clarify the invention and appear as follows:

1. A process for scheduling the recording, storing, and deleting of television and Web page program material on a storage medium in a computer environment, comprising the steps of:

accepting as input a prioritized list of program viewing preferences;

wherein said list contains a viewer's explicit preferred program selections for recording and inferred preferred program selections for recording;

comparing said list with a database of program guide objects;

generating a schedule of time versus available storage space that is optimal for the viewer's explicit or inferred preferred programs;

wherein said preferred programs include television broadcast programs and Universal Resource Locators (URLs); and

wherein said program guide objects indicate when programs of interest are broadcast.

29. An apparatus for scheduling the recording, storing, and deleting of television and Web page program material on a storage medium in a computer environment, comprising:

a module for accepting as input a prioritized list of program viewing preferences;

wherein said list contains a viewer's explicit preferred program selections for recording and derived preferred program selections for recording;

a module for comparing said list with a database of program guide objects;

a module for generating a schedule of time versus available storage space that is optimal for the viewer's explicit or inferred preferred programs;

wherein said preferred programs include television broadcast programs and Universal Resource Locators (URLs); and

wherein said program guide objects indicate when programs of interest are broadcast.

57. A program storage medium readable by a computer, tangibly embodying a program of instructions executable by the computer to perform method steps for scheduling the recording, storing, and deleting of television and Web page program material on a storage medium in a computer environment, comprising the steps of:

accepting as input a prioritized list of program viewing preferences;

wherein said list contains a viewer's explicit preferred program selections for recording and derived preferred program selections for recording;

comparing said list with a database of program guide objects;

generating a schedule of time versus available storage space that is optimal for the viewer's explicit or inferred preferred programs;

wherein said preferred programs include television broadcast programs and Universal Resource Locators (URLs); and

wherein said program guide objects indicate when programs of interest are broadcast.

In particular, Ismail and Rosin do not teach or disclose a system that accepts as input a prioritized list of program viewing preferences wherein said list contains a viewer's explicit preferred program selections for recording and derived preferred program selections for recording as claimed in Claims 1, 29, and 57. Ismail makes no mention of such a system and therefore does not contemplate such a system. Further, Rosin makes no mention of such a system and therefore does not contemplate such a system.

Therefore, Ismail in view of Rosin does not teach or disclose the invention as claimed.

Claims 1, 29, and 57 are in allowable condition. Claims 2-5, 8-9, 12, 14-28, and 30-33, 36-37, 40, 42-56, and 58-61, 64-65, 68, 70-84, are dependent upon independent Claims 1, 29, and 57, respectively. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

V. CLAIM REJECTIONS – 35 U.S.C. § 103

The Office Action rejected Claims 6-7, 10-11, 13, 34-35, 38-39, 41, 62-63, 66-67 and 69 under 35 U.S.C. § 103(a) as being unpatentable over Ismail & Rosin, in view of Wood (U.S. PG PUB 2002/0054752 A1). The rejection is respectfully traversed.

The rejection under 35 USC §103(a) is deemed moot in view of Applicant's comments regarding Claims 1, 29, and 57, above. Claims 6-7, 10-11, 13, and 34-35, 38-39, 41, and 62-63, 66-67 and 69 are dependent upon independent Claims 1, 29, and 57, respectively. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 USC §103(a).

VI. MISCELLANEOUS

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

The Applicants believe that all issues raised in the Office Action have been addressed and that allowance of the pending claims is appropriate. Entry of the amendments herein and further examination on the merits are respectfully requested.

The Examiner is invited to telephone the undersigned at (408) 414-1080 ext. 214, to discuss any issue that may advance prosecution.


No fee is believed to be due specifically in connection with this Reply. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. § 1.136.

The Commissioner is authorized to charge any fee that may be due in connection with this Reply to our Deposit Account No. 50-1302.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

on November 8, 2004
(Date)

by 
(Signature)